

RESOLUTIONS

HOUSE JOINT RESOLUTIONS

CONSTITUTIONAL AMENDMENT—ARTICLE III, § 49a

H. J. R. No. 1

Proposing an amendment to Article III of the Constitution of the State of Texas by adding a new section thereto to be known as Section 49a, requiring all bills passed by the Legislature on and after January 1, 1945, appropriating money for any purpose, to be sent to the Comptroller of Public Accounts for his approval, and fixing the duties of the Comptroller with reference thereto; authorizing the Legislature to provide for the issuance, sale, and retirement of serial bonds, equal in principal to the total outstanding, valid, and approved obligations owing by the General Revenue Fund on September 1, 1943; providing for the submission of this amendment to the voters of this State; prescribing the form of ballot; providing for the proclamation and publication thereof; and providing for the necessary appropriation to defray necessary expenses for the submission of this amendment.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article III of the Constitution of the State of Texas be amended by adding thereto, immediately after Section 49, a section to be known as Section 49a, to read as follows:

"Section 49a. It shall be the duty of the Comptroller of Public Accounts in advance of each Regular Session of the Legislature to prepare and submit to the Governor and to the Legislature upon its convening a statement under oath showing fully the financial condition of the State Treasury at the close of the last fiscal period and an estimate of the probable receipts and disbursements for the then current fiscal year. There shall also be contained in said statement an itemized estimate of the anticipated revenue based on the laws then in effect that will be received by and for the State from all sources showing the fund accounts to be credited during the succeeding biennium and said statement shall contain such other information as may be required by law. Supplemental statements shall be submitted at any Special Session of the Legislature and at such other times as may be necessary to show probable changes.

"From and after January 1, 1945, save in the case of emergency and imperative public necessity and with a four-fifths vote of the total membership of each House, no appropriation in excess of the cash and anticipated revenue of the funds from which such appropriation is to be made shall be valid. From and after January 1, 1945, no bill containing an appropriation shall be considered as passed or be sent to the Governor for consideration until and unless the Comptroller of Public Accounts endorses his certificate thereon showing that the amount appropriated is within the amount estimated to be available in the affected funds. When the Comptroller finds an appropriation bill exceeds the estimated revenue he shall endorse such finding thereon and return to the House in which same originated. Such information shall be immediately made known to both the House of Representatives and the Senate and the necessary steps shall be taken to bring such appropriation to within the revenue, either by providing additional revenue or reducing the appropriation.

"For the purpose of financing the outstanding obligations of the General Revenue Fund of the State and placing its current accounts on a cash basis the Legislature of the State of Texas is hereby authorized to provide for the issuance, sale, and retirement of serial bonds, equal in principal to the total outstanding, valid, and approved obligations owing by said fund on September 1, 1943, provided such bonds shall not

47TH REGULAR SESSION

draw interest in excess of two (2) per cent per annum and shall mature within twenty (20) years from date."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of the State of Texas, at the next general election to be held on the first Tuesday after the first Monday in November, 1942, being November 3, 1942, at which election all voters favoring said proposed amendment shall write or have printed on their ballots, the words:

"For the Amendment to the Constitution of the State of Texas, requiring appropriation bills passed by the Legislature to be presented to and certified by the Comptroller of Public Accounts as to available funds for payment thereof, limiting appropriations to the total of such available funds, providing for issuance of bonds to pay off State obligations outstanding September 1, 1943, and fixing the duties of the Legislature and Comptroller of Public Accounts with reference thereto."

Those opposing said proposed Amendment shall write or have printed on their ballots, the words:

"Against the Amendment to the Constitution of the State of Texas, requiring appropriation bills passed by the Legislature to be presented to and certified by the Comptroller of Public Accounts as to available funds for payment thereof, limiting appropriations to the total of such available funds, providing for issuance of bonds to pay off State obligations outstanding September 1, 1943, and fixing the duties of the Legislature and Comptroller of Public Accounts with reference thereto."

Sec. 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election and have same published as required by the Constitution for amendments thereto.

Sec. 4. The sum of Five Thousand Dollars (\$5,000), or so much thereof as may be necessary, is hereby appropriated out of any funds in the Treasury of the State of Texas, not otherwise appropriated, to pay the expenses of such publication and election.

Passed by the House, April 15, 1941: Yeas 100, Nays 41; House reconsidered the vote, April 15, 1941: by a viva voce vote, and amended and finally passed, April 17, 1941: Yeas 110, Nays 29; passed by the Senate, May 15, 1941: Yeas 26, Nays 0.

Approved June 10, 1941. To be voted on at election to be held Nov. 3, 1942.

CONSTITUTIONAL AMENDMENT—ARTICLE III, § 49-b

H. J. R. No. 23

Proposing an Amendment to Article 3 of the Constitution of the State of Texas authorizing the lending of Two Million Dollars (\$2,000,000) of the Permanent School Fund for the construction of a State office building or buildings; providing for repayment to the Permanent School Fund; providing for the submission of this Amendment to the voters of this State; and providing for the necessary proclamation and expense of publication.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article 3 of the Constitution of the State of Texas be amended by adding thereto a new section to be known as Section 49-b, which shall read as follows:

"Section 49-b. The Legislature may provide by law for the issuance of not more than Two Million Dollars (\$2,000,000) in bonds or obligations of the State of Texas to the Permanent School Fund for the construction in the City of Austin of a State office building or buildings, and the State Board of Education is hereby directed to invest not more than Two Mil-